

1 Q Okay. So it was a random 25?

2 A (Witness Bujan) It was a random 25.

3 Q And the process with the cooperative testing, did
4 you experience any situations in which there were any
5 troubles to resolve on any of those lines?

6 A (Witness Bujan) Not to knowledge.

7 Q Now, one of the things that you noted was that you
8 watched to make sure that the technician followed the
9 BellSouth methods and procedures; is that correct?

10 A (Witness Bujan) That's correct.

11 Q Now, this is their internal process about, you
12 know, how to hook up a loop, how to tag a loop; is that
13 correct?

14 A (Witness Bujan) That's correct.

15 Q And you actually checked off whether they went
16 through all 289 steps?

17 A (Witness Bujan) 287 steps.

18 Q 87. And that's just with those two visits to the
19 outside technician?

20 A (Witness Bujan) That includes the 25 visits in
21 the center as well.

22 Q Okay. And how many steps were there in that
23 process?

24 A (Witness Bujan) I believe nine.

25 Q Nine steps in the UNE center? And so your

1 conclusion from this was that by observing these 27
2 instances, that 99 percent of the time BellSouth is going to
3 follow exactly the right procedures all the time?

4 A (Witness Bujan) Our experiences were for the
5 installations that we observed, that was the case.

6 Q Thank you.

7 Did you test the LENS, L-E-N-S GUI (phonetic)
8 interface?

9 A (Witness Frey) No.

10 Q Why not?

11 A (Witness Frey) It was out of scope.

12 Q As determined by this Commission?

13 A (Witness Frey) That's correct.

14 Q Okay. Now, BellSouth had made that GUI available
15 prior to the supplemental test plan, though; isn't that
16 correct?

17 A (Witness Frey) I have no knowledge of that.

18 Q And CLECs, to your knowledge, do they use the LENS
19 GUI?

20 A (Witness Frey) I have heard CLECs talk about the
21 LENS GUIs, so I presume that they use it.

22 Q Okay. But it was not tested in any way in this
23 test?

24 A (Witness Frey) That's correct.

25 COMMISSIONER BURGESS: Ms. Boone, you must have

1 reloaded at lunchtime, didn't you?

2 MS. BOONE: I'm almost done.

3 COMMISSIONER BURGESS: You told me 30 minutes,
4 though, at 12:30.

5 MS. BOONE: Almost done.

6 COMMISSIONER BURGESS: I just note for the record.
7 Take your time.

8 MS. BOONE: I'm almost done, I promise.

9 COMMISSIONER BURGESS: Take your time. Take your
10 time. MS. BOONE: Where's the love?

11 (Laughter.)

12 VICE CHAIRMAN WISE: It's not up here.

13 (Laughter)

14 BY MS. BOONE:

15 Q Did you test line sharing?

16 A (Witness Frey) No.

17 A (Witness Weeks) No.

18 Q Did you test IDSL loops?

19 A (Witness Frey) No.

20 Q Now, IDSL loops are one subset of the group of
21 xDSL loops that you were commissioned to test; is that
22 right?

23 A (Witness Weeks) We're going to have to refer to
24 the STP to see what the exact language was.

25 Q Okay.

1 (Brief pause)

2 A (Witness Weeks) Do you want the (inaudible)
3 placeholder.

4 Q Correct. For all subtypes of DSL lines; correct?

5 (Brief pause)

6 MS. BOONE: That shouldn't be taken out of my
7 time. They're conferring.

8 COMMISSIONER McDONALD: You asked a question.

9 BY MS. BOONE:

10 Q I'm ready to move on. That's okay.

11 A (Witness Weeks) Okay.

12 Q You didn't test IDSL lines specifically?

13 A (Witness Frey) That is correct.

14 A (Witness Weeks) That's correct.

15 Q Okay. Now, okay, so you didn't test IDSL lines,
16 you didn't test line sharing; correct?

17 A (Witness Frey) That's correct.

18 A (Witness Weeks) That's correct.

19 Q You don't test the electronic ordering system for
20 xDSL loops; right?

21 A (Witness Frey) Correct.

22 Q You didn't test the LENS GUI?

23 A (Witness Frey) Correct.

24 Q You were not able to reach a conclusion about
25 jeopardy notification timeliness; is that right? That's POP

1 12-3-6.

2 A (Witness Weeks) That's correct.

3 A (Witness Frey) That's correct.

4 Q And you couldn't reach a conclusion on the
5 timeliness of missed appropriations, which is 12-3-7.

6 A (Witness Weeks) Missed appointments?

7 Q Sorry. Missed appointments.

8 A (Witness Weeks) That's correct.

9 Q And with respect to POP 12-4-8, you did not reach
10 a conclusion on the accuracy of missed appointment notices,
11 either.

12 A (Witness Frey) That's correct. We didn't receive
13 any, and therefore couldn't verify the accuracy of something
14 that we did not receive.

15 Q Okay. And jeopardies, missed appointments, all
16 those things flow from types of orders that you had in your
17 test bed; is that correct?

18 A (Witness Frey) There's...

19 A (Witness Weeks) Could.

20 A (Witness Frey) ...there's the potential for that;
21 yes.

22 Q And you're aware that CLECs actually experience
23 these things in their ordering with BellSouth; right?

24 A (Witness Weeks) Yes.

25 A (Witness Frey) Yes.

1 Q So some change in the test bed could have created
2 a situation in which you could actually get sufficient
3 numbers of these to test them; right?

4 A (Witness Weeks) Actually, we could have attempted
5 to design a test bed that might have led to that, but we
6 couldn't have guaranteed that, because missing an
7 appointment is under BellSouth's control, and not having the
8 right facilities is somewhat under BellSouth's control. So
9 we, as external, outside, independent testers, can't
10 unilaterally create the situation that would have allowed
11 those to be given to us.

12 Q Okay. But, for example, with facilities issues,
13 you could have solicited from CLECs orders that had been
14 rejected based on that basis, and submitted the order that
15 way and see what you got.

16 A (Witness Weeks) If you're asking if we could have
17 attempted to win the account away from the CLEC, I assume we
18 could have done that with the right cooperation.

19 Q No, my question was if a CLEC had had an order
20 that had been rejected on that basis, then you could have
21 used that same information to flow it through the BellSouth
22 systems, and you would have received a pending facility or
23 jeopardy notification; right?

24 A (Witness Weeks) If the -- I'll say yes.
25 There's -- it's a more complicated answer than that, but

1 I'll say yes, because it's materially correct.

2 Q Okay. And that would allow you to test what the
3 CLECs are experiencing; is that right?

4 A (Witness Weeks) It would have been a
5 demonstration of what we experienced as a tester.

6 Q Which you didn't get in this test as it stood?

7 A (Witness Weeks) We did not have, in these two
8 instances, a chance to make that observation; that's
9 correct.

10 Q I have no further questions. Thank you.

11 COMMISSIONER BURGESS: Thank you, Ms. Boone.

12 Mr. Atkinson?

13 MR. ATKINSON: Thank you, Mr. Chairman.

14 FURTHER CROSS-EXAMINATION

15 BY MR. ATKINSON:

16 Q Good afternoon, gentlemen.

17 A (Witness Weeks) Good afternoon.

18 A (Witness Frey) Good afternoon.

19 Q Bill Atkinson on behalf of Sprint Communications
20 Company, L.P.

21 Mr. Weeks, I'd like to begin with you, if I may.
22 I had a couple of follow-up questions from your testimony
23 this morning. You stated, I believe, just before lunch, in
24 connection with your discussion with counsel for Covad, that
25 the primary purpose of the Georgia OSS test was to evaluate

1 CLEC facing processes, not BellSouth internal processes; is
2 that what you said?

3 A (Witness Weeks) That's the primary purpose of an
4 OSS test.

5 Q It's true, isn't it, Mr. Weeks, that BellSouth
6 internal processes -- at least some of them -- have a direct
7 impact on CLEC facing processes; isn't that true?

8 A (Witness Weeks) That would be true.

9 Q And I also wanted to follow up briefly on your
10 conversation with counsel for AT&T, and then the questions
11 by Commissioner Durden.

12 I believe Commissioner Durden asked some questions
13 regarding the use of KPMG's professional judgment. And I
14 believe you stated that you employed a general decision-
15 making framework. And my question is: Is there anything in
16 writing regarding this professional judgment standard that
17 this Commission could use to verify or follow KPMG's
18 reasoning regarding its use of professional judgment in a
19 particular case?

20 A (Witness Weeks) No.

21 Q What would you point this Commission or any of the
22 interested parties in, in trying to follow KPMG's reasoning
23 as far as the use of professional judgment in a particular
24 case?

25 A (Witness Weeks) Well, I think the report

1 articulates the basic facts that were input into the
2 decision-making process that we had. With respect to the
3 discussions that were held during our decision-making
4 process, there's nothing that I could point any party to in
5 terms of a document or something that exists in the real
6 world, that's tangible, and that someone could inspect.

7 Q Okay. So what you're saying -- and you correct me
8 if I'm wrong, Mr. Weeks -- is that the -- the facts
9 underlying your professional judgment decision are outlined
10 in the report, but the application of those facts to make
11 the decision that you reached in a particular case would not
12 be available for this Commission or any other party to
13 verify? Is that what you're saying?

14 A (Witness Weeks) I think that's a fair
15 characterization, that -- that the facts -- and I'll use an
16 example, see if I can talk by reason of an example here.
17 That, you know, in the case of where we saw half a second
18 for retail, a second for wholesale, that -- those facts are
19 in the report. The fact that the Georgia PSC's standard at
20 that time was parity with retail is in the report. The fact
21 that we chose to issue a "satisfied" because, in our
22 opinion, that response time of one second that was delivered
23 to wholesale was commercially viable. That statement of
24 fact that that -- it was our opinion was there. The
25 thinking that went into that, if it's not in the report,

1 isn't discoverable by anyone.

2 Q Thank you.

3 Now, I believe, Mr. Weeks, I'd like to stick with
4 you for a few minutes. It's true, isn't it, that you were
5 in control over overall management with regards to the
6 Georgia OSS test; is that correct?

7 A (Witness Weeks) I had, as the engagement managing
8 director, ultimate responsibility, if that's what you meant
9 by control.

10 Q I'm sorry. Can you state that again.

11 A (Witness Weeks) I said I had overall
12 responsibility for the tests. I'm not sure what you meant
13 by "control." If -- if you meant responsibility to direct
14 the test and see that it was properly executed and those
15 sorts of things, the answer is yes.

16 Q Now, it's true, isn't it, that you did not
17 personally author any portions of the MTP or STP final
18 report?

19 A (Witness Weeks) I did not personally author any
20 of those; no.

21 Q And it's also true, isn't it, that you retained no
22 notes or work papers associated with your work on the
23 Georgia OSS test; is that correct?

24 A (Witness Weeks) I personally have not retained
25 anything that is not in our work papers.

1 COMMISSIONER BURGESS: Mr. Atkinson, I'm going to
2 be liberal, but I heard some of these questions answered --
3 asked and answered earlier this morning.

4 MR. ATKINSON: I understand, Mr. Chairman.

5 COMMISSIONER BURGESS: I just would ask everybody
6 to pay attention to what's been asked. It's not necessary
7 for this Commission to hear the same questions two or three
8 times, and those two specific questions I know were asked,
9 and asked in the same manner this morning. So I would just
10 ask that you do a little bit of auditing on your questions
11 as you go through, if they've been asked one time. Because
12 we're going to be here as late as you all want to be here,
13 I'll tell you that.

14 MR. ATKINSON: I understand, Mr. Chairman. Just
15 for Commission's planning purposes, I believe I have 30
16 minutes or less. The reason we asked those two questions is
17 to lay a foundation for the question I'm about to ask, and I
18 apologize.

19 COMMISSIONER BURGESS: Well, the foundation's
20 already been laid, Mr. Atkinson.

21 MR. ATKINSON: I understand. I'll -- I'll put
22 away my mortar.

23 COMMISSIONER BURGESS: Let's move on, please.
24 Let's move on.

25 BY MR. ATKINSON:

1 Q Let me ask you, Mr. Weeks, can you point or you --
2 let me withdraw that and phrase it another way.

3 You cannot point -- can you? -- to anything other
4 than the reports themselves to show that you exerted overall
5 management control over the reports? Is that correct?

6 A (Witness Weeks) I believe that would be correct.

7 Q Mr. Frey, I don't want to ignore you. I've got a
8 few questions for you this afternoon.

9 Now, it is true, isn't it, that KPMG has
10 previously done written comparisons of the Georgia third-
11 party OSS test versus third-party OSS tests in other
12 jurisdictions; is that true?

13 A (Witness Frey) That's true.

14 Q Now, to your knowledge, this Commission has not
15 asked you to do such a comparison in connection with this
16 proceeding?

17 A (Witness Frey) That's correct.

18 Q However, if this Commission did request KPMG to do
19 a comparison between now and I guess its determination in
20 this docket, would KPMG do such a comparison of the tests
21 that you conducted in this docket with the tests of another
22 specific jurisdiction, if asked?

23 A (Witness Frey) We're certainly willing to provide
24 any information that we can provide to the Commission to
25 help them in their consideration of this docket.

1 Q Is that a "yes"?

2 A (Witness Frey) That's a "yes."

3 Q Now, in general, Mr. Frey, does KPMG think it's
4 important to do a thorough assessment of BellSouth's
5 operational support systems to evaluate whether CLECs are
6 treated the same as BellSouth treats itself?

7 A (Witness Frey) We believe that it's necessary to
8 conduct the tests that have been outlined in the MTP and the
9 STP that have general objectives which are consistent with
10 the objective you just stated.

11 Q And you didn't make any determination whether
12 those objectives outlined in the MTP or STP constituted a
13 thorough assessment?

14 A (Witness Frey) The MTP was developed by another
15 party, and we executed the tests that were outlined in the
16 MTP. We then developed the STP based on the order issued by
17 the Commission specifying supplemental testing, and the test
18 that we developed is consistent with the objectives
19 identified in the PSC's orders.

20 Q Okay. So with regard to the MTP, it sounds like
21 you're saying no, you didn't make an independent
22 determination as to whether a thorough assessment would be
23 gathered from the MTP, is that -- is that a fair assessment
24 of what you said?

25 A (Witness Frey) Yes, that's a fair statement.

1 Q Okay. Let me ask you, how many measures of parity
2 -- and by "parity" I mean measures of the service provided
3 by BellSouth to CLECs versus measures of the service
4 provided by BellSouth to itself -- how many measures of
5 parity were included in the Georgia OSS test?

6 A (Witness Frey) I don't know.

7 Q You do not know?

8 A (Witness Frey) I do not know.

9 Q Would you accept, subject to check, that MNR-10 of
10 the MTP may be one of those? Do you have the MTP final
11 report in front of you? I'll wait till you get that in
12 front of you, Mr. Frey.

13 A (Witness Frey) Yes.

14 Q Are you with me now?

15 A (Witness Frey) Yes, I am.

16 Q And, based on the definition of "parity" I just --
17 I just gave you to work with, would you consider MNR-10 of
18 the MTP to be such a measure of parity?

19 A (Witness Frey) I don't recall your definition of
20 "parity," but MNR-10 -- the objective of MNR-10 is to
21 evaluate processes and procedures for retail and their
22 corresponding procedures for wholesale.

23 Q And in your opinion, does that involve the measure
24 of the service provided by BellSouth to CLECs versus
25 measures of the same service provided by BellSouth to

1 itself?

2 A (Witness Frey) The -- the test is actually a
3 process evaluation, so we're evaluating the processes in
4 place to support end-to-end maintenance and repair activity
5 for resale -- or, I'm sorry, for retail, and the processes
6 in place to support end-to-end maintenance and repair
7 activities for wholesale. It's a process test as opposed to
8 a performance-based test.

9 Q Using the definition I gave you a few minutes ago,
10 Mr. Frey -- well, let me back up a second. How would you
11 define a measure of parity in connection with a third-party
12 OSS test that KPMG was going to conduct? Can you define
13 that for me?

14 A (Witness Frey) The FCC defines "parity" as
15 substantially the same time and manner. So in the case of a
16 process test we would look for substantially the same manner
17 or processes that do not discriminate in the way retail
18 orders are treated vis-a-vis -- I'm sorry, wholesale orders
19 are treated vis-a-vis retail orders. For wholesale
20 business -- wholesale business activities are treated vis-a-
21 vis retail business activities.

22 Q Okay. So you -- you quoted the FCC definition of
23 "parity" a minute ago, and it sounds like, from what you're
24 saying, is that you would -- KPMG would use that FCC
25 guidance to conduct a measure of parity if it were starting

1 another third-party OSS test today.

2 A (Witness Frey) I think that's a fair
3 characterization; yes.

4 Q Do you know how many measures of parity were
5 included in the Florida OSS test, to your knowledge?

6 A (Witness Frey) I do not.

7 Q Mr. Frey, do you have an understanding of what
8 CLEC account teams, those teams that are provided by ILECs
9 to CLECs, do you understand what they do and what they are?

10 A (Witness Frey) Generally; yes.

11 Q Generally, does KPMG believe that those support
12 functions should be tested in some manner?

13 A (Witness Frey) Generally, we've -- yes.

14 Q Now, this particular support function was not
15 tested in Georgia; is that correct?

16 A (Witness Frey) That's correct. It was not within
17 the scope of either the MTP or the STP.

18 COMMISSIONER BURGESS: Mr. Atkinson, I hear you.
19 We're here to talk about the Georgia test today.

20 MR. ATKINSON: I understand, Mr. Chairman.

21 COMMISSIONER BURGESS: Now, if you want to go to
22 Florida and talk about the Florida test, you can do that.
23 But we're here to talk about...

24 MR. ATKINSON: They may need me to, Mr. Chairman.

25 COMMISSIONER BURGESS: ...the results of the

1 Georgia test. And I'm just trying to make sure everybody
2 understands the reason -- that's why we're here today. I'm
3 glad Florida's testing and going beyond what Georgia's done.

4 Georgia approved an order to test in May of 1999, almost
5 two years ago today. Florida came almost a year after
6 Georgia with a test. Yes, there are going to be some
7 differences. I mean, you've documented those. We've seen
8 those documents.

9 Now, we're not here today to talk about the
10 differences between the Florida test and the Georgia test.
11 Our focus today is to talk about this 1,700 page report that
12 KPMG has filed in connection with the Georgia test. Now,
13 I've been trying to be liberal and let you ask your
14 questions. I hear you. This Commission hears you.

15 But let's keep our questions focused on --
16 relative to this test. We know that there are differences.

17 That's been recorded before this Commission. But I just
18 want you to know that our purpose here today is to talk
19 about what's happened in Georgia, the Georgia Commission.

20 MR. ATKINSON: I understand, Mr. Chairman. And
21 let me see if I can focus, as I believe you're directing.

22 BY MR. ATKINSON:

23 Q Mr. Frey, let me -- let me focus you, if I can for
24 a few minutes, on -- I'm looking at Page IV-A-10 in
25 connection with PRE 1-1-1. Are you with me?

1 A (Witness Frey) Yes.

2 Q Now, before I do that, let me back up and ask you,
3 did KPMG recently submit any corrections of the test report
4 pages in connection with PRE 1-1-1?

5 A (Witness Frey) No.

6 Q And -- and let me just make sure I've -- for the
7 remainder of my cross, which really is not very long, I
8 don't believe, I received from counsel for KPMG corrected
9 pages for OP-1. And they're corrected Pages 12, 15, 32
10 through 34, and 40 through 42. To your knowledge, is that
11 all the corrected pages to the final report submitted by
12 KPMG yesterday?

13 A (Witness Frey) There's an additional section in
14 the same document you're holding, which are three
15 corrections, three struck words from the flow-through
16 evaluation.

17 Q And that has to do with corrected Pages 5, 8, and
18 10?

19 A (Witness Frey) And I'm being told there is also a
20 corrected Page 7 to POP-11.

21 Q Okay, and I don't have that. I'll have to catch
22 up with that.

23 A (Witness Frey) It's likely to be buried in...

24 A (Witness Weeks) In-between the other two that you
25 just referenced.

1 Q All right. But other than that, you're not aware
2 of any other changes?

3 A (Witness Frey) That's correct.

4 Q Okay. Now, focusing you back with PRE 1-1-1,
5 Footnote 6 on Roman -- page Roman numeral IV-8-10, says in
6 part that KCI could not conclusively determine the root
7 source for all recorded downtime. And then, parentheses, it
8 says BellSouth or HP; is that correct?

9 A (Witness Frey) That's correct.

10 Q But now, flipping you over to POP and page Roman
11 numeral V-A-6, Footnote 7. And I'll give you a second to
12 catch up with me. It says there that KCI could not
13 conclusively determine the root source, and then in
14 parentheses, BellSouth or CLEC, for all recorded downtime.

15 A (Witness Frey) Yes.

16 Q Okay. Now, PRE 1-1-1 that we discussed first,
17 now, that was marked as a "satisfied"; is that correct?

18 A (Witness Frey) That's correct.

19 Q And OP 1-1-1 was marked "no determination made."

20 A (Witness Frey) That's correct.

21 Q So in both PRE 1-1-1 and OP 1-1-1, it's fair to
22 say that KPMG couldn't determine the root source for
23 recorded downtime, yet PRE 1-1-1 was marked as "satisfied,"
24 while the -- the latter measure was marked as "no
25 determination made"; is that fair to say?

1 A (Witness Frey) Well, that is fair to say. It's
2 important to point out that the performance for PRE 1-1-1
3 met the established standard, so the time that was being --
4 the downtime performance that could not be attributed to one
5 or the other systems was not relevant in the case of PRE 1-
6 1-1.

7 Q That sort of begs the question, Mr. Frey, if it
8 was completely irrelevant to the consideration of PRE 1-1-1,
9 why did you attach Footnote 7 to the report?

10 A (Witness Weeks) You're right, it's superfluous.

11 A (Witness Frey) I think you're right.

12 Q I'm sorry?

13 A (Witness Weeks) It is superfluous. It could have
14 been eliminated without affecting the results of the report.

15 Q Let me direct your attention to page Roman numeral
16 IV-A-13, and this is in connection with timeliness of
17 response. I'll give you a second to catch up, Mr. Frey.

18 A (Witness Frey) I'm there.

19 Q Now, I'm looking specifically at Footnote 10 on
20 that page. And I believe Footnote 10 says that KPMG omitted
21 transmission -- transaction transmission time from the test
22 CLEC to BellSouth, and vice-versa. Is that what that
23 footnote basically says?

24 A (Witness Frey) No.

25 Q Would you please explain what it says.

1 A (Witness Frey) Yes. The transmission time from
2 the test CLEC interface to the BellSouth interface is
3 included in the transaction intervals that we recorded.
4 However, if you looked on the retail side, those transaction
5 intervals would be either non-existent or much smaller,
6 depending on the system architecture.

7 And the point of this footnote is to say that the
8 standard that was specified was a direct retail comparison
9 that did not include any allowance for transmission time.
10 Frequently you'll hear this referred to as parity plus two,
11 parity plus four, and those intervals are not included. We
12 carried out a direct parity comparison, without making any
13 allowances for difference in the architecture that would
14 contribute to transmission time intervals.

15 Q I'm going to move you again, Mr. Frey, if I can
16 direct your attention to page Roman numeral V-A-8, and the
17 next page, Roman numeral V-A-9, in connection with OP 1-2-2.

18 A (Witness Frey) Okay.

19 Q And I'm going to give myself a second to get there
20 as well, Mr. Frey.

21 Now, specifically I'm looking at Footnote 17,
22 which actually is on Roman numeral V-A-9. And there is
23 says, in part, toward the end of the footnote, that, "KCI
24 believes that the additional effort required of CLECs to
25 develop two distinct service requests and to coordinate

1 their due dates is not a significant impediment to timely
2 execution of these order types."

3 Now, I'd like to ask you, Mr. Frey, what factors
4 KPMG considered in reaching this particular determination
5 that I just read to you that's in Footnote 17?

6 A (Witness Frey) We looked at the presence of the
7 functionality for both transactions that would be required
8 in order to carry out the business objective, and made an
9 assessment of the impact on operational activities that
10 would be required to carry out two steps instead of one, and
11 determined, based on our professional judgment, that this
12 would not be a significant impact to the business
13 operations.

14 Q All right. So this is another case that involved
15 the use of professional judgment on the page of KPMG?

16 A (Witness Frey) That's correct.

17 MR. ATKINSON: One moment, Mr. Chairman.

18 Q Two last questions, Mr. Frey, I believe.

19 A (Witness Frey) Okay.

20 Q Do you recall when KPMG began testing in Georgia
21 in connection with the MTP which you inherited?

22 A (Witness Frey) With the MTP that we inherited, we
23 became test manager on September 9th, 1999.

24 Q And do you recall when KPMG instituted the weekly
25 CLEC conference calls in connection with the Georgia test?

1 A (Witness Frey) To my recollection, those were
2 instituted at approximately the time the STP or the order
3 authorizing STP testing was instituted, which was -- which
4 was -- and perhaps someone at the Commission recalls, but I
5 don't recall. It was sometime in 2000.

6 Q Would you -- can you give me a ballpark? Was it
7 early 2000, to your recollection?

8 A (Witness Frey) To my recollection, it was mid-
9 2000.

10 MR. ATKINSON: Thank you, Mr. Frey. Thank you,
11 gentlemen. No further questions.

12 COMMISSIONER BURGESS: Thank you, Mr. Atkinson.
13 There's no further cross-examination of this panel? Mr.
14 Hill, you have anything?

15 MR. HILL: No, sir.

16 COMMISSIONER BURGESS: This group is excused, and
17 we'll move on to the metrics and flow-through evaluation
18 panel. Thank you all.

19 COMMISSIONER BURGESS: AT&T?

20 MS. AZORSKY: Thank you, Commissioner Burgess.

21 FURTHER CROSS-EXAMINATION

22 BY MS. AZORSKY:

23 Q Good afternoon, gentlemen.

24 A (Witness Frey) Good afternoon.

25 Q Focusing on the topic of metrics, we talked about

1 at the very beginning of the day today the four different
2 kinds of results you could get on a test: satisfied, not
3 satisfied, no result determination made, not complete. A
4 number of the tests in the metrics portion of this review
5 are not yet complete; is that correct?

6 A (Witness Weeks) That's correct.

7 Q Could you please hold the microphone...

8 A (Witness Weeks) I'm sorry. That's correct.

9 Q Thank you. In fact, there are still about nine
10 exceptions open; is that correct?

11 A (Witness Weeks) We believe the number is more
12 like four or five, but...

13 Q All right. But one of those exceptions is
14 Exception 79; correct?

15 A (Witness Weeks) Yes.

16 Q And Exception 79 refers to BellSouth's data
17 retention policy for raw data that is used in the
18 calculation of -- of several of the SQM reports; is that
19 correct?

20 A (Witness Weeks) That's one of the issues raised
21 in that exception.

22 Q And what are the other issues raised in that
23 exception?

24 A (Witness Weeks) I'll have to read it just a
25 moment. Have to read it just a moment.

1 (Brief pause)

2 A (Witness Weeks) That is the issue.

3 Q Okay. And KCI has expressed its opinion that
4 BellSouth should retain such data -- well, strike that. In
5 investigating Exception 79, KCI realized that BellSouth did
6 not have a written policy regarding retention for an
7 adequate period of early stage data, the computer programs
8 used to process that early stage data, the raw data, or the
9 SQM generating computer programs; is that correct?

10 A (Witness Weeks) Well, there were inconsistencies
11 in the retention policies of those; yes.

12 Q They were inconsistent?

13 A (Witness Weeks) There were different time frames
14 used for different portions of all of what you just
15 articulated.

16 Q And KCI expressed its opinion, didn't it, that
17 they should have a consistent retention program to
18 facilitate thorough audits of the data; is that correct?

19 A (Witness Weeks) I think that's a fair
20 characterization.

21 Q And a retention program with some -- that KCI
22 recommended was somewhere between 18 months and three years?

23 A (Witness Weeks) Yes.

24 Q Now, Mr. Freundlich, who is sitting behind you, is
25 your team leader for metrics; is that correct?

1 A (Witness Weeks) That's correct.

2 Q Okay. Mr. Freundlich, I believe, has stated that
3 Exception 79 will not be closed until BellSouth has
4 implemented its data retention policies; is that true?

5 A (Witness Weeks) Yes.

6 Q And Mr. Freundlich, I believe, also has stated
7 that the schedule for implementation of those data retention
8 policies is the third quarter of 2001; is that correct?

9 A (Witness Weeks) Yes.

10 Q Okay. So is it fair to say that the metrics
11 portion of the third-party test won't be completed at least
12 until the third quarter of 2001?

13 A (Witness Weeks) Well, this exception wouldn't be
14 able to be pursued or retested or evaluated until then.

15 Q So this exception that KCI concluded would
16 facilitate thorough audits won't be completed until the
17 third quarter of 2001?

18 A (Witness Weeks) I'm drawing the distinction
19 between the metrics testing and this particular exception
20 itself. Sometimes those work on different schedules.

21 Q But what is necessary to do the audit won't be
22 complete until...

23 A (Witness Weeks) What is necessary to evaluate
24 BellSouth's compliance with its response to this exception
25 can't be executed until those procedures are in fact in